

AMENDED

Serial No. **45042**

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office NOV 12 1981Returned to applicant for correction MAR 8 1982Corrected application filed MAR 9 1982 Map filed MAR 9 1982 under 45041The applicant Southern Pacific Land Company3100 Mill Street, Suite 210 of RenoNevada 89502 Street and No. or P.O. Box No.  City or Town State and Zip Code No. hereby make<sup>s</sup> application for permission to change thePoint of DiversionPoint of diversion, manner of use, and/or place of use

of water heretofore appropriated under Application for permit to appropriate the public  
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and  
waters of the State of Nevada #42609  
identify right in Decree.)

1. The source of water is underground  
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 4.0 second feet (in combination with wells #1,3,4,5, and 6)  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for mining, milling, and domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for mining, milling, and domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 19, T.21N., R.24E.,  
Describe as being within a 40-acre subdivision of public survey and by course and  
M.D.B.&M. or at a point from which the southwest corner Section 25, T.21N., R.23E.,  
distance to a section corner. If on unsurveyed land, it should be stated.  
M.D.B.&M. bears S 35° 9'5" west a distance of 9,469 feet
6. The existing permitted point of diversion is located within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 35, T.21N., R.23E.,  
If point of diversion is not changed, do not answer.  
M.D.B.&M., from which the northeast corner of said section bears North 41° 31'54"  
East a distance of 935 feet.
7. Proposed place of use Sections 23, 25, 26, 27, 33, 34, 35, T.21N., R.23E., and  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
Sections 19 and 31, T.21N., R.24E., M.D.B.&M.
8. Existing place of use same as above  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day
10. Use was permitted from January 1 to December 31 of each year.  
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) well casing, pump, storage tank, and  
State manner in which water is to be diverted, i.e. diversion structure, ditches,  
pipeline to mine site and mill site.  
pipes and flumes, or drilled well, etc.
12. Estimated cost of works \$100,000.00
13. Estimated time required to construct works 3 to 5 years

14. Estimated time required to complete the application of water to beneficial use 3 to 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Annual consumptive use of Wells #1 through #6 (applications #42608, 42609, 42610, 42611, 42613, and 42614) will be a combined total of 943,557,120 gallons per year.

Water will be used for mining-milling complex.

Please address communications to Agent.

s/Forrest L. Fox  
By Forrest L. Fox, Agent  
Hydro-Search, Inc., 333 Flint Street  
Reno, Nevada 89501

Compared bc/vjw bt/ja

Protested 5/18/82 by Marco W. DePaoli et al  
Overruled-See Ruling #2766-7/30/82

### APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 42609 is issued subject to the terms and conditions imposed in said Permit 42609 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the Proof of Completion of Work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

The total combined duty of water under Permits 42608, 42610, 42612, 42613, 45041, and 45042 shall not exceed 943.60 million gallons annually.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal, and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 4.0 cubic feet per second, but not to exceed

943.60 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before January 21, 1984

Proof of completion of work shall be filed before February 21, 1984

Application of water to beneficial use shall be made on or before January 21, 1987

Proof of the application of water to beneficial use shall be filed on or before February 21, 1987

Map in support of proof of beneficial use shall be filed on or before

Completion of work filed IN TESTIMONY WHEREOF, I, PETER G. MORROS,  
State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed

my office, this 20th day of OCTOBER

Cultural map filed

A.D. 19 82

Certificate No.                      Issued                     



2407 (Rev. 6-81)

*[Signature of Peter G. Morros]*  
State Engineer

SEE CORRECTED PERMIT

Abrogated By 46910

CORRECTED PERMIT

AMENDED

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Nevada 89502 hereby make S. application for permission to change the

State and Zip Code No.

Point of Diversion

Point of diversion, manner of use, and/or place of use

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By s/ Forrest L. Fox

Forrest L. Fox, Agent

Compared br/ja br/ja

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The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal, and local agencies.

This permit is issued to correct the permit numbers associated with the total combined duty.

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State Engineer of Nevada, have hereunto set my hand and the seal of

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A.D. 19 83

Certificate No..... Issued.....

*Peter G. Morros*  
State Engineer